

78.17 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. CALVERT to the foregoing amendment in the nature of a substitute by Mr. SHAYS:

**TITLE —RESTRICTIONS ON
NONRESIDENT FUNDRAISING**

SEC. —01. LIMITING AMOUNT OF CONGRESSIONAL CANDIDATE CONTRIBUTIONS FROM INDIVIDUALS NOT RESIDING IN DISTRICT OR STATE INVOLVED.

(a) IN GENERAL.—Section 315 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a) is amended by adding at the end the following new subsection:

“(i)(1) A candidate for the office of Senator or the office of Representative in, or Delegate or Resident Commissioner to, the Congress may not accept contributions with respect to an election from persons other than local individual residents totaling in excess of the aggregate amount of contributions accepted from local individual residents (as determined on the basis of the information reported under section 304(d)).

“(2) In determining the amount of contributions accepted by a candidate for purposes of this subsection, the amounts of any contributions made by a political committee of a political party shall be allocated as follows:

“(A) 50 percent of such amounts shall be deemed to be a contributions from local individual residents.

“(B) 50 percent of such amounts shall be deemed to be contributions from persons other than local individual residents.

“(3) As used in this subsection, the term ‘local individual resident’ means—

“(A) with respect to an election for the office of Senator, an individual who resides in the State involved; and

“(B) with respect to an election for the office of Representative in, or Delegate or Resident Commissioner to, the Congress, an individual who resides in the congressional district involved.”.

(b) REPORTING REQUIREMENTS.—Section 304 of such Act (2 U.S.C. 434) is amended by adding at the end the following new subsection:

“(d) Each principal campaign committee of a candidate for the Senate or the House of Representatives shall include the following information in the first report filed under subsection (a)(2) which covers the period which begins 19 days before an election and ends 20 days after the election:

“(1) The total contributions received by the committee with respect to the election involved from local individual residents (as defined in section 315(i)(3)), as of the last day of the period covered by the report.

“(2) The total contributions received by the committee with respect to the election involved from all persons, as of the last day of the period covered by the report.”.

(c) PENALTY FOR VIOLATION OF LIMITS.—Section 309(d) of such Act (2 U.S.C. 437g(d)) is amended by adding at the end the following new paragraph:

“(4)(A) Any candidate who knowingly and willfully accepts contributions in excess of any limitation provided under section 315(i) shall be fined an amount equal to the greater of 200 percent of the amount accepted in excess of the applicable limitation or (if applicable) the amount provided in paragraph (1)(A).

“(B) Interest shall be assessed against any portion of a fine imposed under subparagraph (A) which remains unpaid after the expiration of the 30-day period which begins on the date the fine is imposed.”.

It was decided in the { Yeas 147
negative } Nays 278

78.18 [Roll No. 360]

AYES—147

Archer	Gekas	Norwood
Armey	Gibbons	Nussle
Bachus	Gillmor	Oxley
Baker	Goode	Paxon
Ballenger	Goodlatte	Pease
Barcia	Goodling	Peterson (PA)
Barr	Goss	Petri
Barrett (NE)	Graham	Pombo
Bartlett	Gutknecht	Portman
Barton	Hansen	Pryce (OH)
Bereuter	Hastert	Quinn
Blunt	Hastings (WA)	Radanovich
Boehner	Hayworth	Regula
Bono	Herger	Rohrabacher
Brady (TX)	Hill	Royce
Burr	Hilleary	Salmon
Burton	Hoekstra	Saxton
Callahan	Horn	Scarborough
Calvert	Hulshof	Schaffer, Bob
Camp	Hunter	Sensenbrenner
Canady	Inglis	Sessions
Cannon	Jenkins	Shadeegg
Chabot	Jones	Shaw
Chambliss	Kingston	Shuster
Chenoweth	Klug	Smith (MI)
Coble	Knollenberg	Smith (TX)
Coburn	Kolbe	Snowbarger
Collins	LaHood	Souder
Combest	LaTourette	Spence
Condit	Lewis (CA)	Stearns
Cook	Linder	Stump
Costello	Lipinski	Stupak
Crane	Livingston	Talent
Crapo	Lucas	Tauzin
Cunningham	Luther	Taylor (MS)
Davis (VA)	Maloney (CT)	Taylor (NC)
Deal	Manzullo	Thomas
DeLay	McCollum	Thune
Dickey	McCrery	Tiahrt
Duncan	McHugh	Upton
Dunn	McKeon	Walsh
Ehlers	Mica	Wamp
Ehrlich	Miller (FL)	Watkins
English	Moran (KS)	Weldon (FL)
Everett	Moran (VA)	Weldon (PA)
Ewing	Myrick	Weller
Fawell	Nethercutt	White
Gallegly	Neumann	Wolf
Ganske	Ney	Young (AK)

NOES—278

Abercrombie	Conyers	Frost
Ackerman	Cooksey	Furse
Aderholt	Cox	Gejdenson
Allen	Coyne	Gephardt
Andrews	Cramer	Gilchrest
Baesler	Cubin	Gilman
Baldacci	Cummings	Gordon
Barrett (WI)	Danner	Granger
Bass	Davis (FL)	Green
Bateman	Davis (IL)	Greenwood
Becerra	DeFazio	Gutierrez
Bentsen	DeGette	Hall (OH)
Berman	Delahunt	Hall (TX)
Berry	DeLauro	Hamilton
Bilbray	Deutsch	Harman
Bilirakis	Diaz-Balart	Hastings (FL)
Bishop	Dicks	Hefley
Blagojevich	Dingell	Hefner
Bliley	Dixon	Hilliard
Blumenauer	Doggett	Hinchey
Boehlert	Dooley	Hinojosa
Bonilla	Doolittle	Hobson
Bonior	Doyle	Holden
Borski	Dreier	Hooley
Boswell	Edwards	Hostettler
Boucher	Emerson	Houghton
Boyd	Engel	Hoyer
Brady (PA)	Ensign	Hutchinson
Brown (CA)	Eshoo	Hyde
Brown (FL)	Etheridge	Jackson (IL)
Brown (OH)	Evans	Jackson-Lee
Bryant	Farr	(TX)
Bunning	Fattah	Jefferson
Campbell	Fazio	John
Capps	Filner	Johnson (CT)
Cardin	Foley	Johnson (WI)
Carson	Forbes	Johnson, E. B.
Castle	Ford	Johnson, Sam
Christensen	Fossella	Kanjorski
Clay	Fowler	Kaptur
Clayton	Frank (MA)	Kasich
Clement	Franks (NJ)	Kelly
Clyburn	Frelinghuysen	Kennedy (MA)

Kennedy (RI)	Morella	Schumer
Kennelly	Murtha	Scott
Kildee	Nadler	Serrano
Kilpatrick	Neal	Shays
Kim	Northup	Sherman
Kind (WI)	Oberstar	Shimkus
King (NY)	Obey	Sisisky
Klecza	Olver	Skaggs
Klink	Ortiz	Skeen
Kucinich	Owens	Skelton
LaFalce	Packard	Slaughter
Lampson	Pallone	Smith (NJ)
Lantos	Pappas	Smith (OR)
Largent	Parker	Smith, Adam
Latham	Pascrell	Smith, Linda
Lazio	Pastor	Snyder
Leach	Paul	Solomon
Lee	Payne	Spratt
Levin	Pelosi	Stabenow
Lewis (GA)	Peterson (MN)	Stark
Lewis (KY)	Pickering	Stenholm
LoBiondo	Pickett	Stokes
Lofgren	Pitts	Strickland
Lowey	Pomeroy	Sununu
Maloney (NY)	Porter	Tanner
Manton	Poshard	Tauscher
Markey	Price (NC)	Thompson
Martinez	Rahall	Thornberry
Mascara	Ramstad	Thurman
Matsui	Rangel	Tierney
McCarthy (MO)	Redmond	Torres
McCarthy (NY)	Reyes	Traficant
McDermott	Riley	Turner
McGovern	Rivers	Velazquez
McHale	Rodriguez	Vento
McInnis	Roemer	Visclosky
McIntosh	Rogan	Waters
McIntyre	Rogers	Watt (NC)
McKinney	Ros-Lehtinen	Watts (OK)
McNulty	Rothman	Waxman
Meehan	Roukema	Wexler
Meek (FL)	Roybal-Allard	Weygand
Meeks (NY)	Rush	Whitfield
Menendez	Ryun	Wicker
Metcalfe	Sabo	Wilson
Millender	Sanchez	Wise
McDonald	Sanders	Woolsey
Miller (CA)	Sandlin	Wynn
Minge	Sanford	Yates
Mink	Sawyer	
Mollohan	Schaefer, Dan	

NOT VOTING—9

Buyer	Istook	Riggs
Fox	McDade	Towns
Gonzalez	Moakley	Young (FL)

So the amendment to the amendment in the nature of a substitute was not agreed to.

78.19 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mrs. SMITH of Washington to the foregoing amendment in the nature of a substitute by Mr. SHAYS:

In Section 301(2) of the Federal Election Campaign Act of 1971, as added by section 201(a) of the substitute, strike subparagraph (b) and add the following:

“(B) Voting Record and Voting Guide Exception—The term ‘express advocacy’ does not include a communication which is in printed form or posted on the Internet that—

“(1) presents information solely about the voting record or position on a campaign issue of 1 or more candidates, provided however, that the sponsor of the voting record or voting guide may state its agreement or disagreement with the record or position of the candidate and further provided that the voting record or voting guide when taken as a whole does not express unmistakable and unambiguous support for or opposition to 1 or more clearly identified candidates,

(ii) is not made in coordination with a candidate, political party, or agent of the candidate or party, or a candidate's agent or a person who is coordinating with a candidate or a candidate's agent; provided that nothing herein shall prevent the sponsor of the vot-